



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



493288

REPLY TO THE ATTENTION OF:

JUL 8 2008

SE-5J-SPCC/OPRS
W80901

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Scott DeGroate
President
DeGroate Petroleum Service, Inc.
441 DeGroate Road
New Lenox, IL 60451

Dear Mr. DeGroate:

In reviewing your facility's case file, it appears that after repeated correspondence and conversations between you and the Agency, you have not completed the actions necessary to come into compliance with the requirements of Title 40, Part 112 of the Code of Federal Regulations. You must submit a response which indicates when you expect your facility to come into compliance (**and follow-up with bimonthly progress reports**) or, if you have already done so, provide the SPCC plan or other documentation to verify your facility's compliance.

Please note that revisions to the SPCC regulation were published in the Federal Register on July 17, 2002. U.S. EPA extended the date for compliance with the revised parts of the regulation to July 1, 2009. However, the violations listed herein for your facility were not requirements that had been revised; therefore, you do not qualify for the extension of the deadline.

Please reply to this Final Warning Letter to the address shown below **no later than 20 calendar days** after your receipt of this letter:

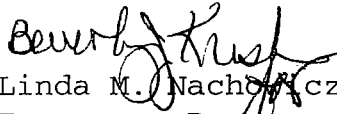
U.S. Environmental Protection Agency
Emergency Response Branch (SE-5J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Attn: Dr. Shitien Yang, SPCC Inspector Grantee

It is extremely important that these cases are closed in a way that is satisfactory to both you and the U.S. EPA. If you do not respond within the above stated time, your case will be referred to the **Office of Regional Counsel** for appropriate enforcement action.

Pursuant to Section 311 of the Clean Water Act, 33 U.S.C. Section 1321, as amended by the Oil Pollution Act of 1990, violation(s) of the SPCC regulation subject owners of a facility to administrative penalties of up to \$11,000 per day (up to a maximum of \$157,500), or civil penalties of up to \$32,500 per day. The actual penalty assessed will depend upon several factors including ability to pay.

If you have any questions, please call Dr. Shitien Yang, SPCC Inspector Grantee, at (312) 886-0850.

Sincerely,


Linda M. Nachreiner, Chief
Emergency Response Branch #2

cc: Illinois Environmental Protection Agency